

Docket No. 1776-4062US2

Express Mail No. EV 356 648 823US

27123

↑CUSTOMER NUMBER↑

22390 U.S. PTO
10/799405

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
UTILITY APPLICATION AND FEE TRANSMITTAL §(1.53(b))

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing is the patent application of

Inventor(s) names and addresses:

- (1) Toshio Endo
13-5, Kuba 4-chome, Ohtake-shi
Hiroshima-ken, 739-0051
Japan

☐ Additional inventors are listed on a separate sheet

For: POLYESTER DIOL AND DERIVED POLYURETHANE AND ACRYLIC
COPOLYMER

Enclosed Are:

- 89 page(s) of specification
2 page(s) of Abstract
5 page(s) of claims
0 sheets of ☐ Formal ☐ Informal drawings
4 page(s) of Declaration and Power of Attorney

- ☐ Unsigned
☐ Newly Executed
☒ Copy from prior application
☐ Deletion of inventors including Signed Statement under 37 C.F.R. §1.63(d)(2)

☐ **REQUEST AND CERTIFICATION UNDER 35 U.S.C. §122(b)(2)(B)(i) (form PTO/SB/35)**

As indicated on the attached Request and Certification, Applicant(s) certify that the invention disclosed in the attached application HAS NOT and WILL NOT be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. Applicant(s) therefore request(s) that the attached application NOT be published under 35 U.S.C. §122(b).

☒ **Incorporation by Reference:**

☒ The entire disclosure of the prior application, from which a copy of the combined Declaration and Power of Attorney is supplied herein, is considered as being part of the disclosure of the accompanying application and is incorporated herein by reference.

☒ **Deletion of Inventors (37 C.F.R. §1.63(d) and §1.33(b))**

Signed statement attached deleting inventor(s) named in the prior application serial no. 10/282,413, filed October 29, 2002.

☐ **Microfiche Computer Program (Appendix)**

☐ page(s) of Sequence Listing

☐ computer readable disk containing Sequence Listing

☐ Statement under 37 C.F.R. §1.821(f) that computer and paper copies of the Sequence Listing are the same

☒ **Assignment Papers (assignment cover sheet and assignment documents)**

☐ A check in the amount of \$40.00 for recording the Assignment

☐ Charge the Assignment Recordation Fee to Deposit Account No. 13-4500, Order No. _____.

☒ Assignment Papers filed in the parent application Serial No. 09/744,345

☐ **Certification of chain of title pursuant to 37 C.F.R. §3.73(b)**

☒ Priority is claimed under 35 U.S.C. §119 for:
Application No(s). 231307/1999, filed August 18, 1999, in Japan (country).

☒ Certified Copy of Priority Document(s) [_____]

☐ filed herewith

☒ filed in application Serial No. 09/744,345, filed March 8, 2001.

☐ English translation document(s) [_____]

☐ filed herewith

☐ filed in application Serial No. _____, filed _____.

☐ Priority is claimed under 35 U.S.C. §119(e) for:
Provisional Application No. _____, filed _____.

- ☒ Information Disclosure Statement
- ☐ Copy of [_____] cited references
- ☐ PTO Form-1449
- ☒ References cited in parent application Serial No. 09/744,345, filed March 8, 2001.
- ☐ Related Case Statement under 37 C.F.R. §1.98(a)(2)(iii)
- ☐ A copy of related pending U.S. Application(s) Serial No(s): _____, filed _____, respectively, is attached hereto.
- ☐ A copy of related pending U.S. Application(s) entitled, _____, filed _____ to inventor(s) _____, respectively, is attached hereto.
- ☐ A copy of each related application(s) was submitted in parent application serial no. _____, filed _____.
- ☒ Preliminary Amendment
- ☒ Return receipt postcard (MPEP 503)
- ☒ This is a ☒ continuation ☐ divisional ☐ continuation-in-part of prior application serial no. 10/282,413, filed October 29, 2002, to which priority under 35 U.S.C. §120 is claimed.
- ☐ Cancel in this application original claims _____ of the parent application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
- ☒ A Preliminary Amendment is enclosed. (Claims added by this Amendment have been properly numbered consecutively beginning with the number following the highest numbered original claim in the prior application).
- ☒ The status of the parent application is as follows:
- ☐ A Petition for Extension of Time and a Fee therefor has been or is being filed in the parent application to extend the term for action in the parent application until _____.
- ☐ A copy of the Petition for Extension of Time in the co-pending parent application is attached.
- ☒ No Petition for Extension of Time and Fee therefor are necessary in the co-pending parent application.
- ☐ Please abandon the parent application at a time while the parent application is pending or at a time when the petition for extension of time in that application is granted and while this application is pending has been granted a filing date, so as to make this application co-pending.
- ☐ Transfer the drawing(s) from the parent application to this application
- ☒ Amend the specification by inserting before the first line the sentence:
This is ☒ continuation ☐ divisional ☐ continuation-in-part of co-pending application 10/282,413 filed October 29, 2002.

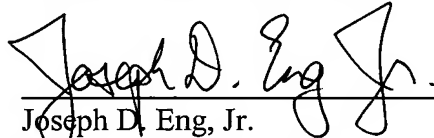
I. CALCULATION OF APPLICATION FEE				
	Number Filed	Number Extra	Rate	Basic Fee \$770.00
Total Claims	4- 20 =	0x	\$18.00	\$ 0
Independent Claims	1- 3 =	0x	\$86.00	\$ 0
<input checked="" type="checkbox"/> Multiple Dependent Claims		If marked, add fee of \$290.00		\$ 290.00
TOTAL:				\$ 1060.00

- ☐ Small entity status is or has been claimed. Reduced fees under 37 C.F.R. §1.9 (f) paid herewith \$_____.
- ☒ A check in the amount of \$1060.00 in payment of the application filing fees is attached.
- ☐ Charge fee to Deposit Account No. 13-4500, Order No. _____. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for filing this application pursuant to 37 CFR §1.16, **including all extension of time fees pursuant to 37 C.F.R. § 1.17 for maintaining copendency** with the parent application, or credit any overpayment to Deposit Account No. 13-4500, Order No. 1776-4062US2. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: March 11, 2004

By:


Joseph D. Eng, Jr.
Registration No. 54,084

Correspondence Address:

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Toshio Endo

Group Art Unit: TBA

Serial No.: TBA

Examiner: TBA

Filed: March 11, 2004

For: POLYESTHER IDOL AND DERIVED POLYURETHANE AND ACRYLIC COPOLYMER

EXPRESS MAIL CERTIFICATE

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Express Mail Label No.: EV 356 648 823US

Date of Deposit: March 11, 2004

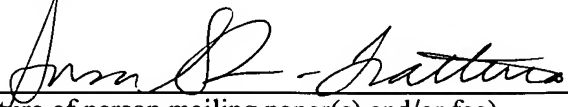
I hereby certify that the following attached paper(s) and/or fee

1. Patent Application consisting of: 89 pages of specification; 5 pages of claims; 2 pages abstract;
2. Utility Application and Fee Transmittal (in duplicate);
3. Preliminary Amendment;
4. Statement Request Deletion of Inventor under 37 CFR 1.63(d);
5. Copy of Executed Combined Declaration and Power of Attorney;
6. Check of \$1,060.00 for filing fee;
7. Return postcard

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Susan Shen-Frattura

(Typed or printed name of person mailing papers(s) and/or fee)


(Signature of person mailing paper(s) and/or fee)

Correspondence Address:

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Toshio ENDO

Group Art Unit: TBD

Serial No.: TBD

Examiner: TBD

Filed: March 11, 2004

For: POLYESTER DIOL AND DERIVED POLYURETHANE AND ACRYLIC
COPOLYMER

STATEMENT REQUEST DELETION OF INVENTOR UNDER 37 C.F.R. § 1.63(d)

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

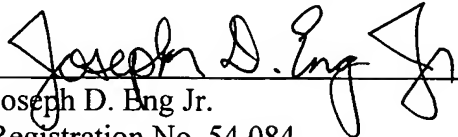
The utility application filed herewith is a continuation application of currently pending U.S. application serial no. 10/282,413. The invention as claimed in claims 31-34 of the instant application was made solely by Toshio Endo. Unlike the prior case, (U.S. application serial no. 10/282,413), no invention of Takuya Miho is being claimed in instant application as filed. Accordingly, Applicant requests the deletion of Toshio Endo as a joint inventor in this application, pursuant to 37 C.F.R. §1.63(d).

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 13-4500, Order No. 1776-4062US2. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: March 11, 2004

By:



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